## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| IN APPLICATION OF          |  |        |  |  |  |  |  |  |  |  |
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| FOLKE                      | R LIEB ET AL                             | )      |  |  |  |  |  |  |  |  |
| SERIAL NO.: TO BE ASSIGNED |  |        |  |  |  |  |  |  |  |  |
| FILED:                     | HEREWITH                                 | )      |  |  |  |  |  |  |  |  |
| TITLE:                     | ARYLPHENYL-SUBSTITUTED CYCLIC KETO-ENOLS | )<br>) |  |  |  |  |  |  |  |  |

## INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. 1.97 AND 1.98

Commissioner for Patents Alexandria, VA 22313-1450 Sir:

This Information Disclosure Statement Pursuant to 37 C.F.R. Section 1.97 and 1.98 is being submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements.

As permitted by 37 C.F.R. 1.98(d)(1) and (2), Applicants are <u>not</u> supplying herewith copies of any patent, publication, pending U.S. application or other information listed on the accompanying Form PTO 1449.

| Express mail" mailing label number <u>ER 776893418 US</u> Date of Deposit <u>February 12, 2004</u>  |
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| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450. |
| Donna J. Veatch   |
| (Name of person mailing paper or fee)   |
| De Vletu  |
| (Signature of person mailing paper or fee)  |

The present application is a Divisional application of U.S. Patent Application Serial Number 09/623,016 filed October 23, 2000, (the "Earlier Application(s)") which Earlier Application(s) is (are) relied upon for an earlier effective filing date under 35 U.S.C. Section 120. The Information cited on the accompanying Form PTO 1449 was cited in and copies thereof were provided with one or more Information Disclosure Statements and/or Forms PTO1449 filed in the Earlier Application(s).

More particularly, this Information was cited and copies thereof were provided in the Earlier Application(s) by way of:

Form PTO 1449 filed March 22, 2001 in Serial Number 09/623,016 and Form PTO 1449 filed March 7, 2003 in Serial Number 10/137,763.

Additional Information may have been cited in, and copies thereof may have been provided by the U.S.P.T.O. with, one or more Forms PTO 892 in the Earlier Application(s). Applicants request that such Information also be made of record in the case.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional Information material to the examination of this application does not exist, that any document mentioned herein constitutes prior art, or that the documents listed severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

av K

Raymond J. Harmuth Attorney for Applicants

Reg. No. 33,896

Bayer CropScience LP 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741 PHONE: (412) 777-3916 FACSIMILE PHONE NUMBER: 412-777-3902 s/rmc/rjh/0229

Sheet 1 of 1 Serial No.
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|                  |                |  | •   | U                          | J.S. PATE  | NT DOCUMENTS                             |  |                      |                                    |             |  |
|                  | MINER<br>ITIAL |  | DOCUMENT NUMB   |                            | DATE       | NAME                                     | CLASS  | SUBCLASS             | FILING DATE<br>IF APPRO-<br>PRIATE |             |  |
|                  |                | AA   | 6,358,887 B1  | C                          | 03/19/02   | (Bel. to corresp. to DE<br>Fischer et al | 195,43,864)<br>504   | 284                  |                                    |             |  |
|                  | <del></del>    | АВ   |   | _                          |            |  | ļ  |                      |                                    |             |  |
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|                  |                | П  | Merck Index 11th o  | d Mor                      | ck & Co. I | Rahway, page 3312, C                     | Compound No  | 3214 (month          | Lunavaile                          | abla)       |  |
|                  | AR             |  | 1989  | u., WEN                    | CK & OU. 1 | nariway, page 3312, C                    | zompouna ive   | <i>.</i> 5514, (monu | ullavalle                          | able)       |  |
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Neither English Language Equivalent nor an English Language Translation is available.

Sheet 1 of 6
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|                     |              |  |          |              |           | Filing Date<br>Herewith                                 |                   | Group                              |                   |                            |  |  |
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| EXAMINER<br>INITIAL |              | DOCUMENT NUMB                                      | ER       | DA           | ATE       | NAME  | CLASS             | SUBCLAS                            | s IF              | NG DATE<br>APPRO-<br>RIATE |  |  |
|                     | AA           | 4,104,043  |          | 08/01        | /78       | (Bel. to corresp. to DE<br>Durden, Jr. et al            | 2,361,084)<br>71  | 107                                |                   |                            |  |  |
|                     | АВ           | 4,175,135  |          | 11/20/       |           | Haines  | 424               | 311                                |                   |                            |  |  |
|                     | AC 4,209,432 |  |          | 06/24        | /80       | (Bel. to corresp. to DE<br>Roth                         | 2,813,341)<br>260 | 29.2 M                             |                   |                            |  |  |
|                     | AD           | 4,256,657  |          | 03/17/81     |           |   |                   | (Bel. to corresp. to DE<br>Wheeler | 2,813,341)<br>260 | 465 D                      |  |  |
|                     | AE           | 4,256,658  |          | 03/17        | /81       | (Bel. to corresp. to DE<br>Wheeler                      | 2,813,341)<br>260 | 465D                               |                   |                            |  |  |
|                     | AF 4,256,659 |  | •        | 03/17        | 7/81      | (Bel. to corresp. to DE<br>Wheeler                      | 2,813,341)<br>260 | 465D                               |                   |                            |  |  |
|                     | AG           | 4,257,858  |          | 03/24        | /81       | (Bel. to corresp. to DE<br>Wheeler                      | 2,813,341)<br>204 | 158R                               |                   |                            |  |  |
|                     | AH           | 4,283,348  |          | 08/11        | /81       | Wheeler   | 260               | 465D                               |                   |                            |  |  |
|                     | AI           | 4,303,669  |          | 12/01        | /81       | D'Silva   | 424               | 282                                | <u> </u>          |                            |  |  |
|                     | AJ           | 4,338,122  |          | 07/06        |           | Wheeler   | 71                | 122                                |                   |                            |  |  |
|                     | AK 4,351,666 |  |          | 09/28        |           | Koerwer   | 71                | 106                                |                   | ·<br>                      |  |  |
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|                     | DC           | OCUMENT NUMBER                                     | DA       | DATE COUNTRY |           | CLASS   | SUBCLASS          | TRANS                              | LATION<br>No*     |                            |  |  |
| AL                  | *96/2        | 5395   | 08/22    | 2/96         | World     | Patent  |                   |                                    |                   |                            |  |  |
| AM                  | *196         | 49 665   | 10/09    | 9/97         | Germ      | any   |                   |                                    |                   |                            |  |  |
| AN                  | *44 3        | 1 730  | 08/10    | 0/95         | Germ      | any   |                   |                                    |                   |                            |  |  |
| AO                  | *195         | 43 864   | 08/14    | 1/96         | Germ      | any   |                   |                                    |                   |                            |  |  |
| AP                  | *442,0       |  | 08/21    |              | Europ     |   |                   |                                    |                   |                            |  |  |
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| AR                  | <b>-</b>     | "Studios on Antiviro                               | , 15, (  | monti        | n unav    | <u>ailable), 1967, Pages</u><br>ogical Activity of Tent | 1120-1122,        | Seikichi Suz                       | uki, et al        | •                          |  |  |
|                     | ├──┼         |  |          |              |           | ble), 1985, Pages 10                                    |                   |                                    | er et al          |                            |  |  |
| H AS                |              |  |          |              |           | N-Acylglycinestern"                                     | 95-1096, NO       | ianu Schiller                      | er et ai,         |                            |  |  |
|                     | 1 1          | J. Chem. Soc. Perk                                 | in Tra   | ins. 1       | , (mor    | th unavailable), 1985                                   | , Pages 156       | 7-1576, A. C.                      | Campbe            | ell et al.                 |  |  |
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Atty. Docket No. Mo5856D2/LeA 32,759D2

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<sup>\*</sup>Copies of documents previously submitted by WIPO

Sheet 2 of 6

Serial No.

| Hev. 7-80              |                  | Patent and Trademark C                          |          |                            |          | Mo5856D2/LeA 32,759D2 To be Assigned |                                       |               |              |                                       |  |
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|                        | AA               | 4,409,153                                       | 1        | 10/11/83                   |          | odakowski                            | 260                                   | 946           |              |                                       |  |
|                        | AB               | 4,422,870                                       | 1        | 12/27/83                   |          | el. to corresp. to DE<br>heeler      | 2,813,341)<br>71                      | 106           |              |                                       |  |
|                        | AC               | 4,436,666                                       | 0        | 03/13/84                   | w        | heeler                               | 260                                   | 455 B         |              |                                       |  |
|                        | AD               | 4,526,723                                       | 0        | 07/02/85                   | _ w      | heeler et al                         | 260                                   | 410.5         |              | · · · · · · · · · · · · · · · · · · · |  |
|                        | AE               | 4,551,547                                       | 1        | 11/05/85                   |          | heeler                               | 560                                   | 255           |              |                                       |  |
|                        | AF               | *4,613,617                                      | 0        | 09/23/86                   | So       | ousa                                 | 514                                   | 521           |              |                                       |  |
|                        | AG               | 4,632,698                                       | 1        | 12/30/86                   |          | heeler                               | 71                                    | 106           |              |                                       |  |
|                        | AH               | 4,659,372                                       | 0        | )4/21/87                   | Ŵ        | el. to corresp. to DE<br>heeler      | 2,813,341)<br>71                      | 106           |              |                                       |  |
|                        | AI               | 4,925,868                                       | 0        | 05/15/90 01/15/91 09/03/91 |          | el. to corresp. to EP<br>erao et al  | 262,399)<br>514                       | 425           |              |                                       |  |
|                        | AJ               | 4,985,063                                       | 0        |                            |          | el. to corresp. to EP<br>scher et al | 355,599)<br>71                        | 88            |              |                                       |  |
|                        | AK               | 5,045,560                                       |          |                            |          | el. to corresp. to EP<br>scher et al | 377,893)<br>514                       | 425           |              |                                       |  |
|                        |                  |   | FOR      | <u>REIGN P</u>             | PATE     | NT DOCUMENTS                         |                                       | T             | <del>,</del> | ····                                  |  |
|                        | l <sub>DC</sub>  | OCUMENT NUMBER                                  | DATE     | DATE                       |          | COUNTRY                              |                                       | SUBCLASS      | TRANSLATION  |                                       |  |
|                        |                  |   |          |                            |          |                                      | CLASS                                 |               | Yes No*      |                                       |  |
| AL                     | *96/2            | 0196  | 07/04/9  | 96 Wo                      | orld Pat | ent                                  |                                       |               |              |                                       |  |
| АМ                     | *521,            | 334   | 01/07/9  | 93 Ge                      | many     |                                      |                                       |               |              |                                       |  |
| AN                     | *97/1            | 4667  | 04/24/9  | 97 Wo                      | orld Pat | ent                                  |                                       |               | ļ            |                                       |  |
| AO                     | 2,266            | ,888  | 05/06/9  | Gre                        | eat Brit | ain                                  |                                       |               | <u> </u>     |                                       |  |
| AP                     | 95/20            |   | 08/03/9  |                            | orld Pat |                                      |                                       |               |              | ×                                     |  |
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|                        | $\vdash$         | J. Heterocycl. Cher<br>Structure, Dissocia      |          |                            |          |                                      |                                       |               |              |                                       |  |
| ^n                     |                  | 7(5)-amino-1 <i>H</i> ,5 <i>H</i> -6            |          |                            |          |                                      | aryi- i (3)-oxc                       | -3(1)-nyaroxy | /-5(7)-in    | nino-                                 |  |
| <del></del>            | +-+              | J. Heterocycl. Cher                             |          |                            |          |                                      | 1310 G 7v                             | ilichovsky "A | cidity a     | nd                                    |  |
| — AS                   | <del>  -  </del> | Alkylation of 4-Phe                             |          |                            |          |                                      |                                       |               |              |                                       |  |
| <del>-   , ; ; -</del> | 1                | Zh. Obshch. Khem.                               |          |                            |          |                                      |                                       |               |              |                                       |  |
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EXAMINER Initial if referenced considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

Atty. Docket No.

Form PTO 1449

**U.S. Department of Commerce** 

<sup>\*</sup>Copies of documents previously submitted by WIPO

Sheet 3 of 6

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|                   |   |   | 355,599)  |  |  |  |  |  |  |
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| AN   | 96/36229          | 11/21/96  | World Patent                   |            |                  |           |        |  |  |  |  |
|--|-------------------|---|--------------------------------|------------|------------------|-----------|--------|--|--|--|--|
| AO   | 96/36615          | 11/21/96  | World Patent                   |            |                  | !         |        |  |  |  |  |
| AP   | 96/25395          | 08/22/96  | World Patent                   |            |                  |           | х      |  |  |  |  |
| <br>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.) |                   |   |                                |            |                  |           |        |  |  |  |  |
|  | Farmakol Toksikol | (Moscow),   | 38 (2), (month unavailable), 1 | 976, Page  | s 180-186, K.    | M. Lakin  | et al. |  |  |  |  |
| AR   |                   | "The Effect of Some Pyrazolone Derivatives on the Aggregation of Thrombocytes" (abstract on |                                |            |                  |           |        |  |  |  |  |
|  | Arch. Pharm. 309, | (month una  | vailable) 1976, Pages 558-56   | 4, A. M. C | hirazi et al, "Z | ur Synthe | ese    |  |  |  |  |
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**World Patent** 

Chem. Bec., 91 (date unavailable), Page 2849, K.-H. Boltze et al, "Ringschlüsse mit Malonsäure-dichloriden"

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Sheet 4 of 6

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| EXAMINER INITIAL DOCUMENT NUMB  | i i        | ATE          | NAME                                      | CLASS            | SUBCLAS           | S IFA         | IG DATE<br>APPRO-<br>RIATE |
| AA 5,462,913  | 10/31      | I/85 F       | Bel. to corresp. to EP ischer et al       | 596,298)<br>504  | 138               |               |                            |
| AB 5,494,890  | 02/27      | 7/96 C       | Bel. to corresp. to WO<br>Sederbaum et al | 92/16510)<br>504 | 281               |               |                            |
| AC 5,504,057  | 04/02      |              | Bel. to corresp. to EP ischer et al       | 521,334)<br>504  | 283               |               |                            |
| AD 5,506,193  | 04/09      | (E           | Bel. to corresp. to WO<br>Sederbaum et al | 92/16510)<br>504 | 282               |               |                            |
| AE 5,565,450  | 10/15      | 5/96 F       | Bel. to corresp. to WO ischer et al       | 94/14785)<br>514 | 227.2             |               |                            |
| AF 5,567,671  | 10/22      | 2/96 F       | Bel. to corresp. to EP ischer et al       | 613,884)<br>504  | 283               |               |                            |
| AG 5,602,078  | 02/11      | I/97 F       | Bel. to corresp. to EP ischer et al       | 613,884)<br>504  | 283               |               |                            |
| AH 5,610,122  | 03/11      |              | Bel. to corresp. to EP ischer et al       | 647,637)<br>504  | 251               |               |                            |
| Al 5,622,917  | 04/22      | 2/97 F       | Bel. to corresp. to EP ischer et al       | 668,267)<br>504  | 283               |               | •                          |
| AJ 5,661,110  | 08/26      | 5/97 K       | Bel. to corresp. to EP<br>rüger et al     | 508,126)<br>504  | 281               |               |                            |
| AK 5,677,449  | 10/14      | ⊮97 F        | Bel. to corresp. to EP ischer et al       | 596,298)<br>544  | 165               |               |                            |
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| AL 96/02539   | 02/01/96   | World Pa     | itent                                     |                  |                   |               | X                          |
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| Heterocycl. Chem.,  |            |              |   |                  | <u> </u>          |               |                            |
| AS Heterocycles. 174 (  |            |              |   |                  |                   |               | _                          |
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| Tetrahedron, Vol. 4   |            | unavailab    | ole), 1992, Pages 7                       | 519-7526. J      | Micklefield e     | t al. "Alk    | vlation                    |
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Sheet 5 of 6

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|  |                  | AA                    | *5,719,310   |        | 02/17  | /98                                    | Fis                   | cher et al  | 560                                   | 83              |            |                                    |          |
|  | - "              | АВ                    | 5,739,389  |        | 04/14  | /98                                    |                       | el. to corresp. to EP<br>ager et al                 | 508,126)<br>562                       | 489             |            |                                    |          |
|  |                  | AC                    | 5,780,394  |        | 07/14  | /98                                    |                       | el. to corresp. to EP<br>Oger et al                 | 508,126)<br>504                       | 281             |            |                                    |          |
|  |                  | AD                    | 5,808,135  |        | 09/15  |  | (Be                   | el. to corresp. to WO<br>scher et al                | 96/03366)<br>560                      | 129             |            |                                    |          |
|  |                  | AE                    | 5,830,826  |        | (Be    |  | (Be                   | el. to corresp. to WO                               | 95/26954)<br>504                      | 195             |            |                                    | -        |
|  |                  | AF                    | 5,840,661  |        | 11/24  | -                                      | (Be                   | el. to corresp. to WO                               | 96/01798)<br>504                      | 348             |            | 1                                  |          |
|  | -                | AG                    | 5,945,444  |        | 08/31  |  | (Be                   | el. to corresp. to WO                               | 95/26345)<br>514                      | 445             |            | 1                                  |          |
|  |                  | AH                    | 5,977,029  |        | 11/02  |  | (Be                   | (Bel. to corresp. to WO 97/16436) Fischer et al 504 |                                       | 292             |            |                                    |          |
|  |                  | Al                    | 5,994,274  |        | 11/30  |  | (Be                   | el. to corresp. to WO                               | 97/02243)<br>504                      | 282             |            |                                    |          |
|  | AJ 6,057,352     |                       |  | 05/02  |        | (Be                                    | el. to corresp. to WO | 96/36616)<br>514                                    | 384                                   |                 |            |                                    |          |
|  |                  |                       |  |        |        | (Be                                    | el. to corresp. to WO | 97/19941)   |                                       |                 |            |                                    |          |
| AK 6,071,937 06/06/00 Bretschneider et al 514 336 FOREIGN PATENT DOCUMENTS |                  |                       |  |        |        |  |                       |   |                                       |                 | 1          |                                    |          |
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|  | AR               |                       | of the Higher Fungi<br>ex Fries)"                    | , Part | IV. In | volutir                                | 1, Ā                  | Diphenylcyclopen                                    | teneone fro                           | m <i>Paxill</i> | us Invol   | lutus (C                           | Deder    |
| $\sqcup$   |                  | $\sqcup \!\!\! \perp$ | J. Economic Entom                                    |        |        |  |                       |   |                                       | 84-586,         | A. A. S    | ousa e                             | t al,    |
|  | AS               |                       | "Esters of 3-Hydrox                                  |        |        |  |                       |   |                                       | <b>T N:</b> 12: |            | na 1                               |          |
| $\vdash \vdash \vdash$   | AT               | $\vdash$              | J. Org. Chem., Vol.                                  |        |        |  |                       |   |                                       | 1. N. W         | neeler,    | "Novel                             |          |
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Sheet 6 of 6

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|                            | AA     | 6,096,895  |        | 08/01         | /00       | Br               | el. to corresp. to WO<br>own et al     | 96/36633)<br>548 | 110                       |         |           |             |  |
|                            | AB     | 6,110,872  |        | 08/29         | /00       | Lie              | el. to corresp. to WO<br>eb et al      | 97/01535)<br>504 | 284                       |         |           |             |  |
|                            | AC     | 6,114,374  |        | 09/05         | /00       |                  | el. to corresp. to WO<br>eb et al      | 97/01535)<br>514 | 424                       |         |           |             |  |
|                            | AD     | 6,140,358  |        | 10/31         | /00       |                  | el. to corresp. to WO<br>eb et al      | 97/36868)<br>514 | 425                       |         |           |             |  |
|                            | AE     | 6,150,304  |        | 11/21         | /00       |                  | el. to corresp. to WO<br>scher et al   | 96/01798)<br>504 | 309                       |         |           |             |  |
|                            | AF     |  |        |               |           |                  |  |                  |                           |         |           |             |  |
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|                            |        | J. Org. Chem., Vol.                              |        |               |           |                  |  |                  | T. N. Wheele              | r, "No  | /el       |             |  |
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